

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**THE UNITED STATES OF AMERICA**

**v.**

**2:23-cr-00189  
JUDGE GRAHAM**

**DAVID CHARLES DILLOW**

**UNOPPOSED MOTION TO MODIFY ORDER SETTING CONDITIONS OF RELEASE**

Now comes the defendant, David Charles Dillow, through undersigned counsel, and moves this Court to modify the Order Setting Conditions of Release (Doc. #23) from home detention to curfew and remove his wife's residence from the exclusion zone. This motion is unopposed by Assistant United States Attorney Jessica Knight and US Pretrial Services Officer Dennis McCafferty. The grounds for this motion are set forth in the attached memorandum.

Respectfully submitted,

Joseph Medici  
FEDERAL PUBLIC DEFENDER

/s/ Laura E. Byrum  
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Attorney for Defendant  
David Charles Dillow

**MEMORANDUM IN SUPPORT OF MOTION**

On April 26, 2023, the Court issued an Order releasing the defendant, David Charles Dillow, to Franklin County Community Based Correctional Facility. (*Order Setting Conditions of Release*, Doc. #15). As a condition of the release order, Mr. Dillow’s “[r]elease is stayed until a bed is available at CFCF.” *Id.* ¶(9)(bb).

Mr. Dillow was released to CBCF and successfully completed the program with 12 hours of program readiness, 55.5 hours of cognitive behavioral intervention sessions, 27 hours of substance abuse treatment, 18 hours of parenting, 24 hours of leadership program and a 3-hour course on domestic violence. Mr. Dillow’s case manager reported “conducted himself in a very positive way and respected staff and peers while at the CBCF”. He successfully completed the Cognitive-Behavioral Interventions for Substance Abuse curriculum. He also worked in the kitchen while at CBCF. (*Initial Presentence Investigation Report*, Doc. #37 ¶ 15).

On August 28, 2023, the Court issued a second Order releasing Mr. Dillow on his own recognizance with additional conditions (*Order Setting Conditions of Release*, Doc. #23). As a condition of the release order, Mr. Dillow was placed on home detention with global positioning satellite monitoring. *Id.* ¶(9)(u)(ii). Another condition of the release order restricts Mr. Dillow from his wife’s residence *Id.* ¶(9)(aa) and (9)(bb).

Mr. Dillow has been in compliance with his pretrial conditions according to US Pretrial Officer McCafferty. Since his release from CBCF to home detention, Mr. Dillow completed the Domestic Violence Life Skills Course through the American Community Corrections Institute and is participating in ongoing mental health and substance abuse counseling.

Mr. Dillow requests a modification of the release order reducing the conditions of home detention with GPS monitoring to curfew, and further requests that he no longer be prohibited

from visiting his wife's residence. This modification is supported by Mr. Dillow's wife, who states, she has "seen a positive change in [Mr. Dillow] since he got out of the CBCF." Mrs. Dillow has "indicated she wants to work on reunifying their family and the Court allowing Dillow to move back home." The requested modification would represent an incremental step toward reunification of Mr. Dillow's family and would also provide greater flexibility for employment purposes. If the Court grants this Motion, Mr. Dillow could spend more time with his wife and some while still maintaining a separate residence. Under the proposed modifications, Mr. Dillow's Pretrial Services Officer would determine the appropriate hours of curfew.

Undersigned counsel has conferred with AUSA Jessica Knight and US Pretrial Services Officer Dennis McCafferty and neither oppose Mr. Dillow's motion. Mr. Dillow understands that if the Court grants this motion, all other conditions of pretrial release will remain in effect.

WHEREFORE, it is respectfully requested that the motion be granted.

Respectfully submitted,

JOSEPH MEDICI  
FEDERAL PUBLIC DEFENDER

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Attorney for Defendant  
David Charles Dillow

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

/s/ Laura E. Byrum  
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